

**JAMIE OBREGON ACOSTA,
INDIVIDUALLY AND ON BEHALF OF
OTHERS SIMILARLY SITUATED,**

V.

**SMART ALABAMA, LLC; AGWM
UNITED, LLC; WK LAW GROUP, PC;
AND WOON KIM,**

CIVIL ACTION FILE NO.:

1:22-cv-01209-TWT

COME NOW Plaintiff Jamie Obregon Acosta and Defendants SMART Alabama, LLC (“SMART”), WK LAW Group, PC and Woon Kim (together, “Defendants”) in the above-styled action, and move this Court to stay the proceedings and any deadlines in this civil lawsuit:

- 51318318 v1

3. The parties have discussed potential case resolution and all agree that mediation may be an effective means of attempting to resolve this dispute; therefore, the parties have agreed to mediate this case.

4. There is an additional case pending in the Northern District of Georgia, Atlanta Division that involves Defendant SMART and Plaintiff's counsel. *See Herrera de la Rosa v. SMART Alabama, LLC, et al*, Civil Action File No. 1:23-cv-01519-SCJ. The *Herrera* case similarly asserts employment claims for TN visa fraud under the federal and Georgia Racketeer Influenced and Corrupt Organizations Acts ("RICO"). The parties believe that the likelihood of resolution of this case increases with the global resolution of both cases.

5. The parties have agreed on a mediator and anticipate that the mediation will take place in October of 2023. A similar request for stay is being submitted in the *Herrera* case.

6. A brief stay of the proceedings and deadlines in this case will conserve judicial resources and result in time savings for the Court, particularly if the case is resolved.

7. Because the parties' desire to conserve their time and resources in an effort to get the case resolved, a stay of the proceedings and extension of deadlines, including Plaintiff's Response deadline, will permit the parties to mediate this case

without the parties incurring the expense and time of further litigating this matter, and would allow the parties to allocate their resources towards mediation and thereby, increase the possibility of settlement through mediation.

8. Therefore, the parties respectfully request that this Court stay all proceedings in this case and stay all remaining deadlines.

9. Following mediation, in the event the case is not settled, the parties will notify the Court accordingly.

WHEREFORE PREMISES CONSIDERED, the parties respectfully request that their Motion be granted and this case be stayed pending the mediation outcome.

Respectfully submitted on August 3, 2023.

s/ Michael L Lucas

Michael L. Lucas (*pro hac vice*)
Ingu Hwang
Allison Hawkins (*pro hac vice*)
BURR & FORMAN LLP
420 North 20th Street, Suite 3400
Birmingham, Alabama 35203
T (205) 251-3000
F (205) 458-5100
mlucas@burr.com
ihwang@burr.com
ahawkins@burr.com

s/ Jon M. Gumbel

Jon M. Gumbel
Georgia - GA Bar #315195
BURR & FORMAN LLP
171 17th Street, NW
Suite 1100
Atlanta, GA 30363
T (404) 815-3000
F (404) 817-3244
jgumbel@burr.com

*Attorneys for Defendant
SMART ALABAMA, LLC*

s/ Feifan Drouyor (with permission)

Feifan Drouyor
Betsy Bulat
Martenson Hasbrouck & Simon LLP
2573 Apple Valley Road NE
Suite 400
Atlanta, GA 30319
T (951) 660-0163
F (404) 909-8120
fdrouyor@martensonlaw.com
bbulat@martensonlaw.com

*Attorneys for Defendants WK Law
Group, PC and Woon Kim*

s/ Daniel Werner (with permission)

Daniel Werner
Georgia Bar No. 422070
dan@decaturlegal.com
James Radford
Georgia Bar No. 108007
james@decaturlegal.com

RADFORD & KEEBAUGH, LLC
315 W. Ponce de Leon Ave.
Suite 1080
Decatur, Georgia 30030
T (678) 271-0300
F (678) 271-0314

s/ Christopher B. Hall (with
permission)

Christopher B. Hall
Georgia Bar No. 318380
chall@hallandlampros.com
HALL & LAMPROS, LLP
300 Galleria Parkway
Suite 300
Atlanta, GA 30339

Rachel Berlin Benjamin
Georgia Bar No. 707419
rachel@beal.law
Brian J. Sutherland
Georgia Bar No. 105408
brian@beal.law
BEAL SUTHERLAND BERLIN &
BROWN LLC
945 East Paces Ferry Rd NE
Suite 2000
Atlanta, GA 30326

Attorneys for Plaintiff

CERTIFICATE OF COMPLIANCE AND SERVICE

I certify that on August 3, 2023, I prepared the foregoing Joint Motion to Stay Proceeding in Book Antiqua, 13-point type in accordance with L.R. 5.1(C). I further certify that I electronically filed the foregoing with the Clerk of the Court through the CM/ECF system, which will automatically generate notice of such filing to the attorneys of record.

s/ Michael L. Lucas
Michael L. Lucas (*pro hac vice*)
Attorney for Defendant
SMART Alabama, LLC